Supreme Court, U.S.
FILED
JUL 24 1997
CLERK

Docket No. 97-62

IN THE SUPREME COURT
OF THE UNITED STATES OF AMERICA

October Term 1997

In re, JESSIE D. McDONALD,

Petitioner

On application for Writ of Habeas Corpus

to the State of Tennessee

SUPPLEMENTAL BRIEF FOR WRIT OF HABEAS CORPUS

For the Petitioner:

Jessie D McDonald, Pro se
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Nashville, Tennessee 37208
(615) 327-3428

6 pp

May it please the Court:

Comes the Petitioner, Jessie D. McDonald, Pro se and submit this supplemental brief, pursuant to Rule 15.8 of this Court Rules to bring this Court's attention to intervening matters that were not available at the time of the petitioner's last filing and the matters were not available until the 23rd., day of July, 1997 when it was located in the office of the Davidson County Criminal Court Clerk's Office.

As required by Rule 14.(1)(g)(i) of this Court Rules, federal questions in the Petition for Writ of Habeas Corpus was first raised in the trial court, by Motion for New Trial, on the 21st., day of January, 1974,(See Appendix) and was assigned as error on appeal, which was the basis for the judgment of reversal in the Court of

Criminal Appeals.

Respectfully submitted,

s/ Jessie D. McDonald

A P P E N D I X

IN DIVISION III, OF DAVUDSON
COUNTY CRIMINAL COURT

STATE OF TENNESSEE	)	Filed:
	)	Jan. 21st.,1974
VS.	)	
	)	
JESSIE D. McDONALD	)	Docket No. B-317
	)	

MOTION FOR NEW TRIAL

Comes the Defendant, Jessie D. McDonald, pro se and respectfully moves this court, pursuant to Tennessee Rules of Criminal Procedure, for a New Trial, on grounds, the original trial was conducted in such a manner, that it drifted from the normal judicial procedure and if allowed to stand, it will constitute a mis-carriage of justice. If this Honorable Court remembers, as the record can verify, the jury based its conviction on the fact that the 1972 Ford,LTD, was valued at a sum over $100.00, when the automobile described was not the

property at issue, further, the jury was not sure of their original decision, whereas, it was necessary for them to retire a second time, and again returned with what appearing to be doubt. In the interest of justice, defendant moves the court for a new trial, to eliminate any, and all doubts in this matter.

Respectfully submitted,
s/ Jessie D. McDonald,
Defendant

xc: Mr. Bobby Schwartz,
Assistant D.A.
January 18th., 1974